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17548 U.S. PTO
10/811938



033004



10/81 U.S. PTO

033004

Date: March 30, 2004

Docket No.: 3560-0137PUS1

MS PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

As authorized by the inventor(s), transmitted herewith for filing is a patent application applied for on behalf of the inventor(s) according to the provisions of 37 C.F.R. § 1.41(c).

Inventor(s): Johann KINDLEIN and Rudolf Leonard Josef SCHOLTE

For: SOLID STATE BRACHYTHERAPY APPLICATOR

Enclosed are:

- ☒ A specification consisting of Seventeen (17) pages
- ☒ Three (3) sheet(s) of formal drawings
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27
- ☐ Applicant does not claim priority
- ☒ Applicant claims the right of priority under the provisions of 35 U.S.C. § 119 and 37 C.F.R. § 1.55(a) based on Application No(s). 03078121.5 filed in EUROPE on October 3, 2003.
 - ☐ Certified copy(ies) is(are) attached hereto.
 - ☒ Certified copy(ies) will follow.

- 13281 U.S. PTO
033004
- ☒ Executed Declaration in accordance with 37 C.F.R. § 1.64 will follow
 - ☐ Application Data Sheet in accordance with 37 C.F.R. § 1.76
 - ☒ Preliminary Amendment
 - ☒ Information Disclosure Statement, PTO-1449 and reference(s)
 - ☐ Other: _____
 - ☐ Applicant requests early publication - \$300.00 publication fee
 - ☐ Non-publication Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i)

The filing fee has been calculated as shown below:

			LARGE ENTITY	SMALL ENTITY
	BASIC FEE		\$770.00	\$385.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	16-20=	0	x 18 = \$0.00	x 9= \$0.00
INDEPENDENT CLAIMS	1-3=	0	x 86 = \$0.00	x43= \$0.00
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290.00	+ \$145.00
TOTAL			\$1,060.00	\$0.00

- ☒ The application transmitted herewith is filed in accordance with 37 C.F.R. § 1.41(c). The undersigned has been authorized by the inventor(s) to file the present application. The original duly executed declaration together with the surcharge will be forwarded in due course.
- ☒ A check in the amount of \$1,060.00 to cover the filing fee is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.

☒ Please send correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 02292
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  28380
Joe McKinney Muncy, #32,334

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Attachment(s)

(Rev. 02/13/2004)